

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KEVIN LEE ESTES,

Plaintiff,

vs.

STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS,
KATHY GASTREICH, CAROL
CURTIS, MAURO P. PARTIDA
SR., DEPARTMENT OF ATTORNEY
GENERAL, DANIEL J. JUDGE,
DEPARTMENT OF ENTERPRISE
OFFICE OF RISK MANAGEMENT,
GREG PRESSEL and BRUCE
LEMON,

Defendants.

NO. CV-11-5158-CI

**ORDER ADOPTING REPORT AND
RECOMMENDATION, GRANTING MOTION TO
VOLUNTARILY DISMISS, AND
DISMISSING COMPLAINT**

Magistrate Judge Imbrogno filed a Report and Recommendation in this matter on January 10, 2012, ECF No. [15](#), recommending Mr. Estes' Motion to Voluntarily Dismiss be granted. There being no objections, the Court **ADOPTS** the Report and Recommendation in its entirety.

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiff's Motion to Voluntarily Dismiss Complaint, **ECF No. [14](#)**, is **GRANTED**. Although given the opportunity to do so, Plaintiff did not file a separate Motion and Affidavit to waive the remaining balance of the filing fee as directed. Therefore, Plaintiff still is obliged to

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1 pay the full filing fee for this action pursuant to 28 U.S.C. § 1915(b).

2 2. The Complaint in this matter is **DISMISSED**.

3 3. **Judgment** shall be **ENTERED** in Defendants' favor without
4 prejudice.

5 4. This file shall be **CLOSED** and all pending deadlines **STRICKEN**.

6 **IT IS SO ORDERED.** The District Court Executive is directed to
7 enter this Order and forward a copy to Plaintiff.

8 **DATED** this 8th day of February 2012.

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12 EDWARD F. SHEA
13 UNITED STATES DISTRICT JUDGE
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